

New Zealand
(except Northern)
Journalists Union

RULES

**Incorporating all amendments to the end of
August 1985**

Issued to:

Address:

.....

.....

Note: A charge is made for additional copies of the Rules, for the replacement of lost copies and for copies supplied to non-members.

GP

NEW ZEALAND
(except Northern)
JOURNALISTS UNION

RULES

Incorporating all amendments to the end of
August 1985

SERVICE AND PROTECTION

The aims of the NZJU are given in detail in Rule 5, but essentially the purpose of the Union is to serve its members and to protect their interests.

In the event of any difficulty concerning their employment, members should inform the Union immediately. In cases of unwarranted dismissal the Union has the power to obtain reinstatement or compensation or both.

Members should study their award or collective agreement and if they are not clear about its operation should consult the Union. If they suspect the award or agreement is being breached they should check their facts and interpretation with the Union.

In larger offices the Union is represented in the first place by a chapel delegate. Members in smaller offices should confer in the first place with a branch official.

The National Office must be notified immediately of:—

- ★ Any dismissal believed to be either unwarranted or an excessive penalty for some misdemeanour.
- ★ Any case of redundancy.
- ★ Any warning or suspicion of impending redundancy.
- ★ Any dispute between members and their employers — see Rule 39.

The Rules of the Union, like the Union itself, are designed to serve and protect members, and it is important that the procedures they establish should be followed. They are not, however, intended to provide for self-evident exceptions, and their rigid application is no substitute for common sense.

Tony Wilton
National Secretary

CONTENTS

SECTION ONE: GENERAL

1. Name
- 1a. Rules subject to the Act
2. Interpretation
3. Registered office
4. Seal
5. Objects
6. Powers
7. Code of ethics

SECTION TWO: MEMBERSHIP AND FEES

8. Eligibility for membership
9. Procedure for joining
10. Register of members
11. Disqualification from membership
12. Fees
13. Levies
14. Non-payment of money owed to the Union
15. Purging the register
16. Resignation

SECTION THREE: NATIONAL OFFICE AND FUNDS ADMINISTRATION

17. National Secretary
18. Funds and trustees
19. Auditors

SECTION FOUR: GOVERNMENT, GENERAL

20. Division of responsibility
21. Plebiscites

SECTION FIVE, GOVERNMENT, NATIONAL LEVEL

22. Annual Conference
23. Special Conferences
24. National Council
25. National Executive
26. National Officers
27. Duties of National President
28. Duties of National Vice-Presidents

SECTION SIX: BRANCH GOVERNMENT

29. Branches
30. Branch general meetings
31. Branch Committee of Management
32. Postal ballots of branches
33. Branch secretary
34. Duties of branch president
35. Duties of branch vice-president

SECTION SEVEN: OFFICE AND SUB-BRANCH ADMINISTRATION

36. Sub-branches
37. Chapels
38. Office delegates

SECTION EIGHT: DISPUTES AND STRIKES

- 39. Disputes
- 40. Dispute meetings
- 41. Strikes

SECTION NINE: MISCELLANEOUS

- 42. Alteration of Rules
- 43. Conduct of secret postal ballot
- 44. Conduct of other secret ballots
- 45. Inspection of books
- 46. Discipline
- 47. Standing Orders
- 48. Effect of decisions
- 49. Dissolution
- 50. Effect of registration

STANDING ORDERS

- 1. Order of business
- 2. Motions
- 3. Amendments
- 4. Procedural matters

INDEX

Note: Some Rules are qualified by other Rules.

	Rule
Accounts — See Books of account	
Administration of Union — See Government	
Affiliation with other organisations.....	6(b)
Agreements and awards:—	
National Council has sole responsibility.....	24(g)
Aims of the Union	5
Alteration of Rules — see Rules	
Amendments at meetings — See Standing Orders (at back)	
Annual Conference:—	
Held in September.....	22(a)
Remits.....	22(b),(h),(i)
Order Paper.....	22(h)
Attendance	22(c)
Quorum	22(d)
Voting.....	22(e),(f)
Powers.....	22(g)
Fees, setting of	22(j)
Chairman	22(k)
Costs	22(l)
Appeals:—	
Against decisions.....	31(h),24(g),21(b),20(i)
Against disciplining	46(d),(g)
Arrears may be sued for	14
Assets	18
Attendance at meetings:—	
Compulsory attendance.....	40(a),(e),44(e)
Unfinancial members barred.....	14
Audit requirements	19
Auditors	19
Ballot, branch secret postal.....	32
Ballot, secret postal:—	
Returning Officer.....	43(a)
Scrutineers.....	43(a)
Check on procedure.....	43(a)
Electoral roll	43(b)
Ballot papers	43(c)
Time to return papers	43(c)
Distribution of papers.....	43(d)
Declaration of result	43(e)
Procedure for tie.....	43(e)
Preservation of papers.....	43(f)
Multiple preference system.....	43(g)
Ballot, secret non-postal:—	
Returning Officer.....	44(a)
Declaration of result	44(b)
Procedure for tie.....	44(b)

Disposal of papers	44(c)
Counting may be national	44(d)
(See also: Plebiscites)	
Books of account:—	
Keeping of	17(d),33(d),36(e)
Audit of	19
Inspection of	45
Branches:—	
Autonomy	20(e)
Control	20(f)
Formation	29(c),(e)
Membership	29(a)
Occupational	29(b)
Office address	29(d)
Powers	29(f)
Financial year	18(e)
Funds	18(c),(f)
Trustees	18(c)
Auditors	19(b)
Branch Committee of Management:—	
Composition of	31(b)
Nominations for	30(b)
Election to	30(b),31(c)
Filling of casual vacancies	31(f)
Removal of officers	31(e)
Term of office	31(d)
Meetings	31(g)
Powers	31(a),(h)
Scope of decisions	31(h)
National Councillor	31(i)
Branch general meetings:—	
Calling of annual	30(b)
Holding of annual	30(a)
Subscription	30(h)
Special meetings	30(c)
Quorum	30(d)
Voting	30(e),(f)
Powers	30(g)
Chairman	30(i)
Costs	30(j)
Branch postal ballots	32
Branch president, duties of	34
Branch secretary:—	
Duties of	33(d)
Elected or appointed	33(a)
Honorary or fee	33(b)
Wellington provision	33(c)
Branch subscriptions	12(c),(d),30(h)
Branch vice-president, duties of	35

Broadcasting journalists	12(f)
Business, Order of — See Standing Orders	
Casual vacancies — See Vacancies	
Chapels:—	
Formation of	37(a)
Jurisdiction	20(h)
Limitations	20(i), 37(b)
Committee	37(c)
Representation	31(b), 37(d)
Rules of	37(e)
Code of ethics	7
Maintenance of code	5(g)
Enforcement of code	46(a)
Committee of Management — See Branch Committee	
Conferences:—	
See Annual	
See Special	
Confidentiality:—	
Pledge of	9(c)
Penalties for breach	46
Council — See National Council	
Councillor — See National Councillor	
Decisions, effect of	48
Definitions of terms in Rules	2
Discipline:—	
Offences	46(a)
Right to be heard	46(b), (e), (f)
Penalties	46(c), (e)
Expulsion from Union	46(e)
Right of appeal	46(d), (g)
Censure by branch	46(f)
Disputes:—	
Notification of	39(a)
Conduct of	39(b), (c)
Dispute meetings:—	
Calling of	40(a)
Chairing of	40(b)
Decisions binding	40(c)
Notice of	40(d)
In working time	40(e)
Attendance compulsory	40(a), (e)
Disqualification:—	
From voting	14
From attending meetings	14
From membership	11
Dissolution of Union	49
Duty of members to notify:—	
Change of address	10(b)
Change of employer	10(b)
Change of classification	10(b)

Effect of:—	
Decisions	48
Registration of Union	50
Election of:—	
National President	26(a-e),(g)
National Vice-presidents	26(f),(g)
Branch Committee	31(c)
Sub-branch Committee	36(c)
Chapel committee	37(c)
Eligibility for membership	8
Employment assistance	6(h)
Entrenched Rules	42(c)
Ethics — See Code	
Executive:—	
See National Executive	
See Branch Committee	
Expulsion from membership	11,15,46
Fees:—	
Entrance: none	
National	12(a),(b)
Branch	12(a),(c)
Life member	8(c)
Setting of	12(b),(c),22(j),30(h)
Trainee	12(e)
Payment of	12(d)
Broadcasting journalists	12(f)
Non-payment	14
See also: Levies	13
Financial membership — See Membership	
Financial year	18(e)
Funds	6(k),18
Government of Union:—	
Annual Conference	20(a)
National Council	20(b)
National Executive	20(c)
Plebiscite	20(d)
Branches	20(e),(f)
Sub-branches	20(g),(i)
Chapels	20(h),(i)
Interpretations of terms in Rules	2
Joining Union, procedure for	9
Journalism:—	
Standards	5(e)
Training	5(f),6(g)
See also Code of ethics	
Levies on members:—	
Making of	13(a),(b)
Limitations on	13(c),(d)
Payment of	13(e)

Meetings, procedure of:—

See Standing Orders (at back)

Members, register of:—

See Register

Membership:—

Eligibility for.....	8
Full.....	8(a)
Trainee.....	8(b)
Life.....	8(c)
Financial.....	10(c), 14
Resignation.....	16
Disqualification.....	11
Suspension.....	11
Termination.....	11, 15
Reinstatement.....	11
Expulsion.....	8(b), 46(e)

Motions at meetings — See Standing Orders (at back)

National Council:—

Powers.....	24(a)
Authority, extent of.....	24(g)
Decisions binding.....	24(f)
Members.....	24(b)
Meetings.....	24(c)
Quorum.....	24(d)
Voting.....	24(e)
Minutes.....	24(h)
Costs.....	24(i)

National Councillors.....31(i)

National Executive:—

Powers.....	25(a),(e)
Members.....	25(b)
Meetings.....	25(c)
Telephone conferences.....	25(c)
Quorum.....	25(d)
Industrial Committee.....	25(f)
Co-option.....	25(f)
Minutes.....	25(g)
Costs.....	25(h)

National Officers:—

Terms of office.....	26(h),(i)
Removal from office.....	26(j)
Casual vacancies.....	26(k)
Right to attend meetings.....	26(l)

National President:—

Call for nominations.....	26(a)
Nominations.....	26(b)
Election.....	26(c)
Death of nominee.....	26(d)
Lack of candidate.....	26(e),(g)

Honorarium.....	26(m)
Duties of.....	27
National Secretary:—	
Appointed by Council.....	17(b)
Duties.....	17(d)
Rights.....	17(f)
National Vice-presidents:—	
Election.....	26(f),(g)
Duties.....	28
Non-payment of money.....	14,15
Notice of meetings:—	
Annual Conference.....	22(b)
Special Conference.....	23(b)
National Council.....	24(c)
Branch general.....	30(a),(b),(c)
Branch Committee.....	31(g)
Sub-branch.....	36(d)
Due notice deemed to be.....	48
Notice of Rule changes.....	42(d)
Notice of subscription changes:—	
National subscription.....	12(b)
Branch subscription.....	30(h)
Objects of the Union.....	5
Office delegate:—	
Appointment.....	38(a)
Duties.....	38(b)
Office, removal from:—	
See Removal from office	
Order of business:—	
See Standing Orders (at back)	
Plebiscites:—	
Calling of.....	21
Effect of.....	20(d),21(d)
Pledge by members.....	9(c)
Postal ballot — See Ballots	
Powers of the Union.....	6
President:—	
See National President	
See Branch President	
Press cards.....	6(j)
Press freedom.....	5(d)
Procedure of meetings — See Standing Orders (at back)	
Professional interests.....	5(d)
Property.....	6(l),18
Publication.....	6(f)
Public relations.....	6(f)
Quorums — See appropriate body	
Register of Members:—	
Keeping of.....	10

Purging of	15
Registered office of Union	3
Registration, Effect of	50
Removal from office:—	
National Councillor	31(i),(ii),(iii)
National Officer	26(j)
National Secretary	17(b)
Branch official	31(e)
Branch Committee member	31(e)
Sub-branch committee member	36(c)
Auditor	19(c)
Representation of members	6(e)
Resignation from Union	16
Returning Officer — See Ballots	
Rules, Alteration of:—	
By Annual Conference only	42(a)
Majority required	42(b),(c)
Entrenched Rules	42(c)
Notice required	42(d)
When operative	42(e)
Scrutineers — See Ballots	
Seal, custody and use	4
Secret Ballots — See Ballots	
Secretary:—	
See National Secretary	
See Branch Secretary	
Special conferences:—	
Calling of	23(a)
Notice required	23(b)
Business	23(b)
Attendance	23(c)
Voting	23(c)
Powers	23(d)
Staff, employment of	6(d),17(a)
Standing Orders, application of	47
Standing Orders, index:—	
Order of Business, 1	
Motions, 2	
Amendments, 3	
Procedure, 4	
(See back of Rule Book)	
Strikes:—	
Notice required	41(a)
Secret ballot first	41(b)
Power to prevent	41(c)
Sub-branches:—	
Formation of	36(a)
Restrictions on	20(i),36(b)
Committee	36(c)

Meetings	36(d)
Voting at branch meetings	30(e)
Duties of officers	36(e)
Dissolution of	36(f)
Representation	31(b)
Submissions, making of	6(c)
Subscriptions:—	
See Fees	
See Branch subscriptions	
Trade union solidarity	5(i)
Trustees:—	
National	18(b)
Branch	18(c)
Sub-branch	18(d)
Vacancies, casual:—	
National Officers	26(k)
National Councillor	31(i),(ii)
Branch Committee	31(f)
Sub-branch representative	31(f)(iii)
Sub-branch committee	36(c)
Chapel committee	37(c)
Vocational advice	6(i)
Welfare	5(h),6(m)

SECTION ONE: GENERAL

1. NAME: The name of this union shall be the New Zealand (except Northern) Journalists and Related Trades Industrial Union of Workers.

1A. RULES SUBJECT TO THE ACT: Whether specifically stated or not in any of these rules, each rule shall be read subject to the provisions of the Industrial Relations Act 1973 and any other statutory enactment.

2. INTERPRETATION:

(a) Except where the context requires otherwise:—

“Union” means the New Zealand (except Northern) Journalists and Related Trades Industrial Union of Workers.

“Branch” means a branch of the Union, established in accordance with Rule 29.

“Branch centre” means the city or town in which the office of the branch is situated.

“Sub-branch” means a sub-branch of the Union established under Rule 36.

“Chapel” means a chapel, established under Rule 37.

“Member” means a person eligible for full membership of the Union under Rule 8 admitted to the Union under Rule 9 and not for the time being suspended under Rule 11.

“National Office” has the meaning ascribed to it in Rule 17.

“National Council” means the body established in Rule 24.

“National Executive” means the body established in Rule 25.

“National Officers” means the people designated as such in Rule 26.

“Conference” means an Annual Conference or special conference of branches of the Union held in accordance with Rule 22 or Rule 23.

“General meeting” means an annual general meeting or special general meeting of a branch of the Union held in accordance with Rule 30.

“Subscription fee” means a subscription fee payable under Rule 12. “National portion of the subscription fee” shall have the meaning ascribed to it in paragraph (b) of Rule 12 and “branch portion of the subscription fee” shall have the meaning ascribed to it in paragraph (c) of Rule 12.

“National funds” means the funds controlled by the National Council.

“Branch funds” means the funds controlled by the Committee of Management of the branch.

“Office” with a capital O means the main office of a

newspaper, magazine, news agency, radio station or television station and includes branch offices within 30 kilometres of the main office.

"Plebiscite" means a secret ballot of all financial members of the Union.

"Act" means the Industrial Relations Act 1973, and all amendments thereto.

"Award" means an award made under the Act.

"Collective agreement" means a collective agreement made under the Act.

- (b) Subject to the Act, any dispute over the interpretation of these rules shall be decided by the National Council.

3. REGISTERED OFFICE: The Union shall have a registered office which shall be at Book House, Boulcott Street, Wellington, or such other place as the National Council may from time to time decide. Any change in the address of the registered office shall be notified to the Registrar of Industrial Unions by the National Secretary.

4. SEAL: The Union shall have a seal, which shall be kept at the registered office and shall be affixed by any two of the National Trustees to any document requiring the affixture of the seal. It shall not be altered or removed except by a resolution of the National Council.

5. OBJECTS: The objects of the Union shall be:—

- (a) To maintain and improve the working conditions and wages of its members.
- (b) To act on behalf of any member or members unjustly or unfairly treated by an employer.
- (c) To act for members in any matter whatsoever connected with their calling.
- (d) To uphold and defend the professional interests, status and rights of members and to defend the freedom of the Press.
- (e) To encourage and promote improvement in the standards of journalism practised in New Zealand.
- (f) To encourage and assist in the development and improvement of training schemes for its members and persons intending to become journalists.
- (g) To ensure a high ethical standard in the practice of journalism.
- (h) To promote the social welfare and enjoyment of members.
- (i) To uphold the principle of trade union solidarity where that is in the interests of the Union and its members.

6. POWERS: The Union shall have such powers as are necessary to pursue the objects stated in Rule 5 provided

such powers are consistent with the law. Without limiting the foregoing, the powers of the Union shall include:—

- (a) The negotiation of awards, collective agreements and other agreements on wages and conditions on behalf of its members. In discharge of this power, the Union may be represented before a council of conciliation or the Industrial Commission or the Industrial Court by such person or persons as the Union may appoint in that behalf.
- (b) Affiliation to or association with any organisation, the objects of which are in sympathy with the objects of the Union.
- (c) The making of submissions to the House of Representatives and to bodies established under the Commissions of Inquiry Act and other bodies or persons on matters that affect the Union or its members.
- (d) The engagement of such employees as may be necessary or desirable to achieve the objects of the Union.
- (e) The representation of any member, at the member's request, in any legal or judicial proceedings connected with his employment or in any claim for accident compensation.
- (f) The publication of journals, newspapers, magazines, newsletters or leaflets on its own behalf or for other trade union organisations, and the giving of public relations advice to other trade union organisations.
- (g) The production of teaching and training aids, whether in the form of printed matter or sound recording or videotape recording or film, to assist with the training of journalists.
- (h) Acting as an organisation through which information on employment opportunities may be transmitted to members, whether by establishing employment bureaux or by other means.
- (i) The provision of vocational advice to persons intending to be engaged in journalism.
- (j) The issue of press identification cards where appropriate.
- (k) The raising and administration of funds in pursuit of the objects of the Union.
- (l) The purchase, leasing, maintenance and sale of property in the interests of members, their profession and welfare, training and social enjoyment.
- (m) The establishment and maintenance of a welfare fund in accordance with the Act, provided that the fund may be established and maintained in respect of one or more branches.
- (n) The exercise of all other powers of an industrial union under the Act.

7. CODE OF ETHICS: All members shall recognise the following code of ethics in the course of their employment:—

- (a) To report and interpret the news honestly.
- (b) To promote, through their conduct, full public confidence in the integrity and dignity of their calling.
- (c) To observe professional secrecy in matters revealed in confidence to the furthest limits of law or conscience.
- (d) To use only honest methods to obtain news, pictures or documents.
- (e) Never to accept any form of bribe, either to publish or suppress.
- (f) To reveal their identity as members of the Press when not to do so would be contrary to ethical standards.
- (g) Not to suppress essential fact and not to distort the truth by omission or wrongful emphasis.
- (h) To observe at all times the fraternity of their profession and never take unfair advantage of a fellow member of the Union or any other member of a journalists union or other organisation of journalists in New Zealand.
- (i) To accept no compulsion to intrude on private grief.

SECTION TWO: MEMBERSHIP AND FEES

8. ELIGIBILITY FOR MEMBERSHIP:

- (a) **Full members:** Any person employed or about to be employed in New Zealand (except in the Northern Industrial District) as a journalist or cadet journalist, photographer, or cadet photographer, reader, copyholder, librarian or otherwise in the collection, researching, writing, editing, collation, layout or other editorial preparation (whether on paper or by visual display unit or other electronic device) of editorial material for publication (whether in print or by radio or television or other electronically transmitted medium) or in other journalistic duties shall be eligible for full membership of the Union. Any person substantially employed in any of the foregoing activities who is paid for his work on a rate-for-assignment basis shall be eligible for full membership of the Union.

However, excluded from the above shall be work customarily and traditionally covered by the membership rule of the NZ Printing and Related Trades Industrial Union of Workers.

- (b) **Trainee members:** Any person who is engaged in full-time study at tertiary level in preparation for becoming a journalist may be admitted to trainee membership. Trainee members may attend meetings of the Union and (with the permission of the meeting) have speaking rights, but may not move or second motions, vote or hold any office in the Union. They shall not act against

the interests of the Union and may be expelled if they do; but for as long as the Union publishes a journal for members shall receive a copy of that journal.

- (c) **Life Membership:** Notable service to the Union may be rewarded by election to life membership of the Union. Nomination for the award may be made by the National Council or by a branch, but election may take place only at an Annual Conference. For as long as a life member is eligible for full membership of the Union he shall pay the dues and enjoy the rights of full membership. Upon retirement, or upon becoming otherwise ineligible for membership, he shall be exempt from the payment of any dues and shall be entitled to attend the annual meetings of any branch and to speak at such meetings (but not to move or second motions or to vote).

9. **PROCEDURE FOR JOINING:**

- (a) Subject to Rule 11, any person eligible for full membership under Rule 8 shall, upon filing with the National Secretary an application in the form prescribed by the National Council, be admitted to membership of the Union.
- (b) Subject to Rule 11, any person eligible for trainee membership under Rule 8 may, upon applying in writing to the National Secretary, be admitted to trainee membership.
- (c) On his application form every applicant for membership shall be required to undertake to obey and observe these rules and all lawful decisions of the Union or any part of the Union and shall give a pledge not to divulge outside the Union any confidential proceedings of the Union, or of any branch, sub-branch or chapel of the Union.
- (d) Upon being admitted to membership of the Union, a new member shall be given a copy of these Rules, together with all amendments registered up to that time and an up-to-date copy of all appendices and a membership card.

10. **REGISTER OF MEMBERS:**

- (a) The National Secretary shall compile and maintain an up-to-date register of all members of the Union, showing the branch of which each is currently a member, the address, employer, branch of journalism and grading of each member for the time being and the date of birth of each member.
- (b) It shall be the duty of each member who moves from one Office to another, or who changes his address, his employer or his branch of journalism to notify the appropriate Office delegate or delegates, or where there is no Office delegate the National Secretary, of such changes.

- (c) The register of members kept by the National Secretary shall show whether the member is for the time being a financial member of the Union and the branch of which he is a member.

11. DISQUALIFICATION FROM MEMBERSHIP:

- (a) Notwithstanding the provisions of Rule 8 and Rule 9, the National Secretary if so requested by a branch Committee of Management shall refuse membership of the Union to or shall suspend from membership any person who by virtue of the position he holds is specified by any award or collective agreement negotiated by the Union as not being subject to that award or collective agreement.
- (b) Any person suspended from membership under paragraph (a) of this Rule may appeal within 14 days to the National Council on a question of fact as to whether he is specified as not being subject to such an award or agreement. There shall be no appeal against the National Council's decision. The application by any person denied membership under paragraph (a) of this Rule shall be referred to the National Council for confirmation or otherwise of the decision.
- (c) On expiry of the 14 days allowed for appeal by a suspended member and if no appeal has been made, or if any appeal has been made and has not been upheld by the National Council, such suspended person's membership shall be terminated and the National Secretary shall remit to the person whose membership has been terminated any portion of his fees which he has paid beyond the date on which his termination takes effect.
- (d) If a person ceases to be subject to the specification defined in paragraph (a) of this Rule, and is eligible for membership in the Union, he shall, upon application to the National Secretary, be reinstated as a member of the Union or admitted as a new member in accordance with the procedure set out in Rule 9.
- (e) Notwithstanding the provisions of Rule 8 and Rule 9, any person who has been expelled from the Union under the provisions of paragraph (e) of Rule 46 shall be disqualified from membership of the Union unless and until his further application for membership is approved by a conference of the Union.
- (f) Notwithstanding the provisions of Rule 8 and Rule 9, any member charged with any offence under the provisions of paragraph (a) of Rule 46 who resigns from the Union before the charge can be heard and disposed of or before any disciplinary measure taken in accordance with Rule 46 is satisfied or given full effect shall be disqualified from membership of the Union

until such time as the aforesaid requirements of Rule 46 are satisfied.

12. **FEES:** Subject to the provisions of the Act:—

- (a) **Subscription fee:** Every full member of the Union shall pay a subscription fee, one portion of which (hereinafter referred to as the national portion of the subscription fee) shall go to the National Office and form part of the funds administered by the National Council and the other portion of which (hereinafter referred to as the branch portion of the subscription fee) shall be remitted to the branch of which he is a member and shall form part of the funds of that branch. A member who through illness or accident is away from work for two weeks or more without sick pay shall not be required to pay these fees for that period of absence.
- (b) The national portion of the subscription fee shall be determined from time to time by the Annual Conference of the Union. It shall be set as a percentage of the member's minimum award salary, or in the case of members paid on a rate-for-assignment basis at cash amounts determined from time to time by the National Council, and shall in no case be set so low that the aggregate of such fees would not, in the opinion of the National Council, be sufficient to maintain the National Office. No motion to alter the national portion of the subscription fee shall be introduced at an Annual Conference of the Union except by the National Council and except after six weeks notice of the motion to the branch Committees of Management. The Annual Conference shall make no decision on the national portion of the subscription fee without a budget of income and expenditure being presented.
- (c) The branch portion of the subscription fee shall be determined from time to time by the annual general meeting of each branch subject to the consent of the National Council. It shall be set as a percentage of the member's minimum award salary, and shall be such as will enable the Committee of Management of the branch and the branch secretary to adequately administer the affairs of the branch. No member, as a result of moving from one branch to another shall be required to pay two branch fees in respect of any period of time.
- (d) All subscription fees shall be paid at such time and in such manner as shall be determined from time to time by the Annual Conference direct to the National Secretary, who shall remit the branch's portion to the branch each month. The branch secretary shall remit to the secretary of each sub-branch in his branch such

fraction, if any, of the branch portion of the subscription paid by each member of the sub-branch as may be determined by the annual general meeting of the branch.

- (e) **Trainee members** shall pay to the National Secretary an annual fee determined by the Annual Conference of the Union. The National Secretary shall remit half of each such fee to the appropriate branch.
- (f) The Annual Conference may order that all or part of the national portion of the subscription fee shall be waived in the case of members who are also members of the Society of Radio and Television Journalists Inc.

13. LEVIES: Subject to the provisions of the Act:—

- (a) A conference of the Union may make a levy upon the members of the Union for such purposes as are consistent with the objects of the Union.
- (b) With the approval of the National Council, a general meeting of a branch may make a levy upon the members of the branch, for such purposes as are consistent with the objects of the Union. In giving or withholding its approval, the National Council shall have regard to the interests of the Union as a whole and the interests of the branch.
- (c) The following limitations on levies shall be observed:—
 - (i) The total number of levies that may be made upon any member in any one year shall not exceed three; and
 - (ii) The total amount levied upon any member of the Union in any one year shall not exceed \$10.
- (d) Notwithstanding paragraph (c) of this Rule, the monetary limit specified in that paragraph may be exceeded by a levy approved by a secret ballot of the financial members who would be liable to the levy.
- (e) Any levy made under paragraph (a) of this Rule shall be paid to branch secretaries who shall forward it promptly to the National Secretary. Any levy made under paragraph (b) of this Rule shall be paid to the Secretary of the branch making the levy and the Secretary of the branch shall notify the National Secretary of funds raised by the levy and the amount raised per member.

14. NON-PAYMENT OF MONEY OWED TO THE UNION:

Any member who has not paid his subscription fee within one month of the prescribed day shall be deemed to be unfinancial and, subject to any statutory enactment, shall be disqualified while so unfinancial, from attending any meeting or voting in any ballot of the Union membership or any part of the Union membership. Where a member has arranged for his subscription fee to be deducted from his pay by his employer,

on terms agreed between the Union and that employer, the member shall be deemed to be financial for as long as the arrangement remains in force, provided that he owes no subscription moneys for the period before the arrangement came into force. Subscription fees in arrears and all other moneys owing to the Union may be sued for and be recovered by the National Secretary, or someone appointed by the National Council. Subscription fees in arrears and all moneys owing to a branch may be sued for and recovered by the appropriate branch secretary, or someone appointed by the Committee of Management of the branch.

15. PURGING THE REGISTER: The register of members shall be purged from time to time by the National Secretary by striking off the name of any member who is in arrears of fees for six months; but this shall not free such discharged persons from arrears due.

16. RESIGNATION: When resigning from the Union a member shall give the National Secretary 14 days notice in writing and pay all fees and levies and other moneys due to the Union. He may claim and shall be refunded all fees paid by him for any period beyond the date of his resignation.

SECTION THREE: NATIONAL OFFICE AND FUNDS ADMINISTRATION

17. NATIONAL SECRETARY:

- (a) The Union shall maintain a National Office in Wellington at the address provided for in Rule 3. The National Office shall be staffed by the National Secretary and such other staff to assist the National Secretary as the National Council may decide within general guidelines laid down by the Annual Conference.
- (b) All matters affecting the appointment and terms and conditions of employment of the National Secretary and other staff of the National Office shall be decided by the National Council, which shall have final jurisdiction.
- (c) The National Secretary may, and if the National Council directs shall, accept appointment as secretary of the Wellington branch of the Union and shall, if the National Council so directs, carry out such duties without additional remuneration.
- (d) **Duties:** The National Secretary shall in all matters be subject to the control of the National Council. His duties shall be as set down by the National Council, and shall include:—
 - (i) Keeping the national financial accounts of the Union and acting as National Trustee under Rule 18; and
 - (ii) Taking the minutes of any conference of the Union, or any meetings of the National Council or the National Executive; and

- (iii) Calling conferences of the Union, meetings of the National Council and the National Executive and such other meetings as the National Council, the National Executive or the National President may direct; and
 - (iv) Maintaining close liaison with the branches, sub-branches, chapels and the Office delegates, including the communication to them of all the decisions made at national level affecting them; and
 - (v) Visiting, if possible at least once a year, each place of work in which members are employed; and
 - (vi) Ensuring that in each place of work the award or collective agreement in force for that place of work is observed; and
 - (vii) Assisting any branch or sub-branch in any dispute with an employer or group of employers and representing the National Council in such disputes where so directed; and
 - (viii) Engaging in research to further the interests of the Union in matters relevant to the objects as set out in Rule 5; and
 - (ix) Preparing claims for awards and collective agreements and, when appointed to do so by the National Council, representing the Union in any award or collective agreement proceedings; and
 - (x) When appointed to do so by the National Council, representing the Union before any statutory body or inquiry and representing the Union in matters concerned with the training and the standard of journalism; and
 - (xi) In consultation with the National President, preparing public statements on matters of importance to the Union, and undertaking general public relations on behalf of journalists and journalism; and
 - (xii) Maintaining a register of members as provided in Rule 10; and
 - (xiii) Collecting fees as provided for in Rule 12; and
 - (xiv) Carrying out such other duties as may be specified in these rules; and
 - (xv) Discharging all duties required of him by the Act and ensuring that the Union meets all requirements of the Act as to statements of accounts, auditing of accounts and statements of officers of the Union.
- (e) The National Secretary may, to ensure efficient and continuous administration of the Union's affairs,

delegate some or all of his duties to any assistant in the National Office, but he shall be responsible to the National Council for the satisfactory carrying out of such work.

- (f) The National Secretary shall on demand be admitted to all meetings of the Union, and any of its governing bodies at all levels, and shall have the right to speak, but not to move or second motions or to vote, at any meeting he attends.

18. FUNDS AND TRUSTEES:

- (a) All funds, assets and property shall be the property of the Union and shall be subject to the control of the National Council.
- (b) All national funds and property belonging to the Union shall be controlled and administered in such manner as the National Council may direct by the National Officers and the National Secretary for the time being, who shall be the National Trustees; provided that during any period in which none of the National Officers is resident in Wellington, the Wellington National Councillor shall also be a National Trustee. Any two of the National Trustees shall be empowered to draw cheques, execute documents and otherwise act on behalf of the National Trustees. No sum shall be withdrawn without the signatures of two such National Trustees. An imprest account may be established within such limits and upon such conditions as the National Council may determine from time to time and, notwithstanding the foregoing, this account may be operated by any one of the National Trustees.
- (c) All branch funds shall be controlled and administered in such manner as the Committee of Management may direct by the branch officers and the branch secretary for the time being, who shall be the branch trustees. Any two of the branch trustees shall be empowered to draw cheques, execute documents and otherwise act on behalf of the branch trustees. No sum shall be withdrawn without the signatures of two such branch trustees. An imprest account may be established within such limits and upon such conditions as the Committee of Management may determine from time to time and, notwithstanding the foregoing, this account may be operated by any one of the branch trustees.
- (d) All sub-branch funds shall be controlled and administered in such manner as the sub-branch committee may direct by the sub-branch chairman and the sub-branch secretary for the time being, who shall be the sub-branch trustees. They shall be subject to the general

directions of the Committee of Management of the appropriate branch.

- (e) The financial year in respect of the national accounts shall end on March 31 and in respect of branch and sub-branch accounts shall end on February 28.
- (f) Notwithstanding paragraph (a) of this Rule, property transferred to this Union by another union upon its dissolution to form a branch of this Union, shall, if the branch so requests within one month of registration of this Union, be administered separately from other property held by the Union. The Union shall not disburse, transfer, alienate or in any way deal with any part of such separately administered property without the authorisation of the appropriate branch, and such property shall be administered as if to all intents and purposes it were the property of the branch, which shall be able to deal with the property without the authorisation of the Union.

19. AUDITORS:

Subject to the provisions of the Act:—

- (a) A professional auditor shall be appointed by the National Council and he shall audit the national accounts every year and at such other times as the National Council may direct. The National Secretary shall submit all accounts and vouchers to the auditor.
- (b) A professional auditor shall be appointed by the Committee of Management of each branch and he shall audit the branch and sub-branch accounts every year and at such other times as the Committee of Management may direct. The branch secretary and sub-branch secretaries shall submit all accounts and vouchers to the auditor. A copy of the audited annual accounts of each branch and sub-branch shall be forwarded each year to the National Secretary after the branch annual general meeting. The branch auditor's fee shall be paid by the branch.
- (c) Each auditor shall hold his position until he dies, resigns or is removed by the National Council or as the case may be the branch Committee of Management. His replacement shall be appointed in accordance with paragraph (a) or paragraph (b) of this Rule as appropriate.

SECTION FOUR: GOVERNMENT, GENERAL

20. DIVISION OF RESPONSIBILITY:

- (a) The supreme governing authority of the Union shall be the Annual Conference or a special conference of the Union.
- (b) Subject to any specific provision in these rules to the contrary, whenever the union is not in conference, the

powers of the conference shall be exercised by the National Council.

- (c) When the National Council is not in session, the affairs of the Union shall be administered by the National Executive, within limitations laid down by the National Council and these rules.
- (d) Notwithstanding the foregoing, any decision of a conference, the National Council or the National Executive may be reversed or altered by a plebiscite of all members under Rule 21, except as provided for in paragraph (c) of Rule 21.
- (e) Subject to any provision in these rules to the contrary, branches shall have local autonomy in affairs which affect only their branch. Attention is drawn to paragraph (f) of Rule 18, paragraph (g) of Rule 24 and paragraph (f) of Rule 29.
- (f) At branch level, the governing authority shall be the annual general meeting or a special general meeting of the branch. Outside of these meetings, the affairs of the branch shall be administered by a Committee of Management.
- (g) At sub-branch level, the governing authority shall be the annual meeting or a special meeting of the sub-branch. Outside of these meetings, the affairs of the sub-branch shall be administered by a sub-branch committee.
- (h) Chapels may deal with house matters that affect only chapel members.
- (i) Any decision or action of a sub-branch or a chapel may be reversed or altered by the appropriate branch Committee of Management, which may at any time take over the conduct of any dispute involving chapel or sub-branch members.

21. PLEBISCITES:

- (a) A conference of the Union or the National Council may order that a plebiscite of all members shall be taken on any issue. A plebiscite may be carried out by secret postal ballot of all members as provided in Rule 43, or by secret ballot at special general meetings of all branches and special meetings of all sub-branches, or by meetings called under the provisions of paragraph (a) of Rule 40 or paragraph (e) of Rule 44.
- (b) The National Council shall order that a plebiscite be taken if petitioned by:—
 - (i) Any two branches, in accordance with decisions by general meetings or by secret postal ballot; or by
 - (ii) Any three branch Committees of Management; or by

- (iii) At least 20 per cent of the total membership of the Union.
- (c) Notwithstanding paragraph (a) or paragraph (b) of this Rule, no plebiscite shall be held on any motion if the effect of its passing would be to reduce the subscription fee below the level the National Council considers necessary to adequately maintain the National Office.
- (d) Unless it is reversed or altered by a subsequent plebiscite, the majority decision of any plebiscite shall be binding for at least two years and thereafter until it is reversed or altered by a conference of the Union.

SECTION FIVE: GOVERNMENT, NATIONAL LEVEL

22. ANNUAL CONFERENCE:

- (a) In September of each year an Annual Conference of all branches and special sub-branches of the Union shall be held at a date and place fixed by the National Council, provided that if the audited accounts are not available in time for the conference the conference shall be postponed until they are.
- (b) Notice of the Annual Conference shall be given in writing to all branch and special sub-branch secretaries by June 30. The notice shall call for remits and shall be accompanied by annual accounts and a budget for the ensuing year, and shall be followed by the audited accounts as soon as they are available.
- (c) Attendance at the Annual Conference shall be: the National President; one delegate from each special sub-branch; up to two delegates from each branch, with up to 100 members and up to three delegates from each branch with more than 100 members, one member of each branch delegation to be the branch's National Councillor or his deputy; the National Secretary; and observers, if any, from branches. Observers from other journalists organisations and other observers may be admitted by leave of the conference. The National President and the delegates shall have the right to speak and to move and second motions; the National Secretary shall have the right to speak only; and observers may be given leave to speak, but not to vote or move and second motions.
- (d) A majority of delegates entitled to be present shall form a quorum.
- (e) **Voting:** Only delegates shall be entitled to vote, except that in the event of an equality of votes, the chairman may exercise a casting vote. If the chairman does not exercise his casting vote the question shall lapse. A card vote may be called for by any delegate and each branch and special sub-branch shall then be entitled to one vote for every 30 or part of 30 members who were

financial as at seven days before the first day of the conference, according to the records of the National Secretary, who shall lay before the conference on the first day a return stating how many card votes each branch and special sub-branch is entitled to. Provided that delegates from each branch shall decide which of them shall exercise the card vote for their branch. For the purposes of this paragraph, the membership of a special sub-branch shall not be counted as part of the membership of its branch except where the special sub-branch is not represented by its own delegate at the conference.

- (f) Decisions shall be by simple majority, except where otherwise required under Rule 42 (Alteration of rules).
- (g) **Powers:** Subject to a plebiscite of all members, the Annual Conference shall have vested in it all the powers of the Union and shall be empowered to decide any matter affecting the Union. Decisions shall be binding upon all members of the Union and shall not be reversed or altered except by a subsequent conference or a plebiscite; but no decision shall be made in contravention of subparagraph (ii) of paragraph (f) of Rule 29.
- (h) **Order Paper:** The closing date for the lodgement of remits shall be July 31, whereupon the National Secretary shall forthwith circulate to all branches and special sub-branches an Order Paper of business to be conducted at the meeting, including all remits and all recommendations of the National Council. No other business shall be taken except by leave of the meeting or except in the case of a late remit related to the annual accounts.
- (i) To be accepted for inclusion on the Order Paper a remit must be submitted by resolution of a general meeting of a branch or of its Committee of Management or by resolution of a general meeting of a special sub-branch.
- (j) No motion concerning fees shall be introduced into the conference except upon the recommendation of the National Council duly notified in the Order Paper, which motion may be amended by the conference, but not so as to contravene paragraph (b) of Rule 12.
- (k) **The chairman** of the Annual Conference shall be the National President, or in his absence, the Senior Vice-president, or in the absence of both the National President and the Senior Vice-president, the Junior Vice-president, or in the absence of all three, some other branch delegate appointed by the conference. A branch delegate appointed chairman shall be entitled to exercise his voting rights as a delegate, but if he does so he shall not also exercise a casting vote.

- (l) **The costs** of the Annual Conference and the expenses of the National President, the National Secretary and the delegates shall be a charge on the national funds. The expenses of observers shall be borne by the branches concerned.

23. SPECIAL CONFERENCES:

- (a) The National Secretary shall forthwith call a special conference of branches if so directed by the National Council or by the National Executive or if three branch Committees of Management request it.
- (b) The National Secretary shall give to all branches at least two weeks and not more than six weeks notice of the special conference and shall specify the matters to be discussed, which shall be as specified by the body or bodies requesting the conference. No other matters shall be discussed at the conference, but immediately after the conclusion of the conference a meeting of the National Council may be called without notice and matters excluded from discussion at the conference may be discussed and resolved at the National Council meeting.

Notwithstanding the provisions of the first sentence of this paragraph, where in the opinion of the National Executive urgency should be taken, a special conference may be held without specific notice provided that the Councillor or Acting Councillor of each branch has been notified by telephone and travel arrangements for him to attend the meeting have been confirmed with him. Where in the opinion of the National Executive the business of a special conference may be satisfactorily resolved by a conference toll call and provided the matter does not involve NZ Federation of Labour remits and subject to the approval of this procedure by the majority of the National Councillors, the meeting may be held in this way provided each branch is represented in the conference toll call by its National Councillor or Acting Councillor.

- (c) The attendance and voting rights at a special conference shall be the same as at the annual conference, except that each branch may send only one delegate and special sub-branches shall not be directly represented. However, one observer from each branch, if present, shall be accorded speaking, but not voting rights.
- (d) In all other matters, including the apportionment of expenses, a special conference shall be the same as and shall exercise the powers of an Annual Conference, except that a special conference shall not have the power to alter subscription fees.

24. NATIONAL COUNCIL:

- (a) When the Annual Conference or a special conference is not in session, the administration and all powers and authority of the Union shall be vested in the National Council;
Provided that the National Council shall not make additional rules or alter, rescind or suspend any of these rules or alter the subscription fee; and
Provided further that the National Council shall conform with the policy laid down by conferences and plebiscites currently in force.
- (b) **How composed:** The National Council shall consist of the National President and one National Councillor from each branch elected or appointed in accordance with paragraph (i) of Rule 31.
- (c) **Meetings:** Ordinary meetings of the National Council shall be held at intervals of not less than three months. Each ordinary meeting shall fix the date of the succeeding meeting. Special meetings may be called by the National President or the National Executive, and shall be called if two branch Committees of Management so request, upon the giving of not less than seven days nor more than one month's notice to all National Councillors. Where in the opinion of the National Executive urgency should be taken, a special meeting of the Council may be held without specific notice provided that the Councillor or Acting-Councillor of each branch has been notified by telephone and travel arrangements for him to attend the meeting have been confirmed with him. Where in the opinion of the National Executive the business of a special meeting may be satisfactorily resolved by a conference toll call, and subject to the approval of this procedure by the majority of the National Councillors, the meeting may be held in this way provided each branch is represented in the conference call by its National Councillor or Acting-Councillor.
- (d) There shall be a quorum if a majority of the branches are represented.
- (e) **Voting:** Each National Councillor present shall have one vote. In the event of an equality of votes, the chairman, if he is not a National Councillor, may exercise a casting vote. All decisions shall be by simple majority.
- (f) Decisions of the National Council shall be binding on all members and shall not be altered or amended except by a subsequent meeting of the National Council, or by a conference of the Union or by a plebiscite.
- (g) **Extent of authority:** The National Council shall not interfere in matters which are the concern only of a

branch or a part of a branch and which do not affect other members of the Union, except by invitation of the Committee of Management of the branch, or on an appeal by a member or members of the branch in accordance with paragraph (h) of Rule 31, and except where the National Council considers action by a branch to be inimical to the interests of the Union as a whole. Notwithstanding the foregoing, the National Council shall have sole responsibility for matters concerning awards and collective agreements.

- (h) **Minutes:** Copies of the minutes of meetings of the National Council shall be circulated to all members and deputy members of the National Council and the secretaries of all branches.
- (i) **Costs:** The costs of the National Council and the expenses incurred by the National President, the National Secretary and the National Councillors in attending meetings of the National Council shall be a charge upon national funds.
- (j)
 - (i) Every year the National Council shall appoint the required number of delegates to the Federation of Labour conference. Where possible they shall be the National Officers, including the National Secretary.
 - (ii) Before each FOL conference, the National Council shall consider the remits to determine the NZJU attitude to them. The Council however, shall not bind delegates except on fundamental policy matters and except in the case of elections to the FOL executive or for FOL officers.
 - (iii) No remits to the FOL conference are to be submitted without the approval of the NZJU Annual Conference or a special conference called for that purpose.

25. NATIONAL EXECUTIVE:

- (a) Between meetings of the National Council the affairs of the Union shall be administered by the National Executive, in accordance with National Council policy.
- (b) **How composed:** The National Executive shall consist of the National President, the National Vice-presidents, and the National Secretary as a non-voting member. With the approval of the National Council, any National Councillor resident in Wellington who is not ex officio a member of the National Executive, may be co-opted to the National Executive as a non-voting member.
- (c) **Meetings:** The National Executive shall meet at least once in every month in which there is not a conference or a meeting of the National Council and at such other times as the National President, the National Council or

a conference shall decide. For the purposes of this paragraph the word "meet" shall include a conference telephone call, provided the order of business that is normally followed at formal meetings is observed and provided that all relevant documents, including those which would normally be tabled at formal meetings, are received by members of the National Executive in advance of the conference call.

- (d) There shall be a quorum if two voting members are present. Decisions shall be by a simple majority of voting members present.
- (e) **Emergencies:** In emergencies, the National Executive may exercise the powers of the National Council; Provided that in doing so it acts in conformity with the policy laid down by conferences of the Union and by the National Council and in conformity with all decisions of conferences, the National Council and plebiscites currently in force; and
Provided further that in any major industrial matter or in any matter where the National Executive's action breaks new ground in policy, all National Councillors shall be fully informed as soon as possible.
- (f) **Co-option:** The National Executive shall be a standing committee of the National Council on industrial matters and on all other matters the National Council may direct it to inquire into or take responsibility for. With the approval of the National Council, it may co-opt other members of the Union to assist it in these duties, and appoint such sub-committees as may be necessary or desirable.
- (g) **Minutes:** As soon as practicable after any meeting of the National Executive, the National Secretary shall circulate copies of the minutes to every member of the National Executive, every National Councillor and his deputy and every branch secretary.
- (h) **Costs:** The costs of the National Executive and the expenses of its members in attending meetings and carrying out its business shall be a charge on national funds.

26. NATIONAL OFFICERS: The National Officers of the Union shall be the National President, the Senior National Vice-president and the Junior National Vice-president, who shall be elected and hold office, or be removed or replaced in accordance with the following provisions:

- (a) **National President:** Nominations for the office of National President shall be called by the National Secretary by May 31 each year and shall close on June 30 each year. A copy of the notice calling nominations shall be sent to each Office delegate who shall post it on

the Office noticeboard, and a copy shall also be sent by mail to every member employed in a place of work where there is no Office delegate.

- (b) Nominations must be signed by the nominee, the nominator and five seconders, all of whom shall be financial members of the Union. A nominee must have been employed in the industry for at least twelve months immediately preceding the date of his or her nomination and must hold or have held national office or must be or have been a member of a branch or union management committee.
- (c) **Presidential election:** If there is only one nomination for National President, the National Secretary shall declare the nominee duly elected. If there are two or more nominations, a second postal ballot shall be held forthwith in accordance with Rule 43. The ballot shall close not later than two weeks before the Annual Conference and the nominee for whom the most votes are cast shall be declared elected. The Committee of Management of the branch of which the President-elect is a member shall, if it has not already done so, appoint the President-elect as one of its official delegates to the Annual Conference, unless the President-elect is the sitting President.
- (d) Where a nominee dies during the course of a secret postal ballot the National Secretary shall order a new ballot and call for nominations again.
- (e) If no nominations for National President are received by June 30 or if the President-elect dies before the Annual Conference, nominations shall be called at the Annual Conference and the conference shall elect as National President someone who meets the criteria set out in paragraph (b) of this Rule.
- (f) **Vice-presidential elections:** The National Vice-presidents shall be elected by the Annual Conference from among those who for the time being are National Councillors. Nominations for Senior National Vice-president shall be called for from the floor of the conference by the chairman and the election carried out in accordance with the provisions of paragraph (g) of this Rule. Nominations for Junior National Vice-president shall then be called for from the floor but the nominees for this post shall be restricted to National Councillors representing branches of the North Island if the Senior National Vice-president represents a South Island branch, or of the South Island if the Senior National Vice-president represents a North Island branch. Where the National President is elected at the conference in accordance with paragraph (e) of this

Rule, the conference shall not proceed to the election of National Vice-presidents until the office of National President is filled.

- (g) Where an election is necessary under paragraphs (e) and (f) of this Rule, it shall be decided by card vote and the nominee for whom the most votes are cast shall be declared elected.
- (h) **Term of office:** Each National Officer, however elected or appointed, shall hold office from the end of the Annual Conference or from the date of his election or appointment, whichever is the later, and shall hold office until the end of the next conference or until he dies, resigns or is removed from office whichever is the earlier; and he shall be eligible for re-election.
- (i) Where for any reason a National President has not been elected by the end of the Annual Conference, the outgoing National President shall continue in office until a National President is elected. If the person elected National President has earlier been elected a National Vice-president at the Annual Conference, the office of National Vice-president which he vacates shall be filled as if it were a casual vacancy in terms of paragraph (k) of this Rule.
- (j) A National Officer not performing his duties in a manner satisfactory to the National Council may be removed from office by a majority vote at a special conference called for that purpose only. A person removed from office under this Rule shall not be eligible for election or appointment to a national office until the next annual election.
- (k) **Casual vacancies:** Where any National office falls vacant between Annual Conferences, the vacancy shall be filled in the following manner:—
 - (i) If the office of National President falls vacant, the Senior National Vice-president shall forthwith be declared National President.
 - (ii) If the office of Senior National Vice-president falls vacant, the Junior National Vice-president shall forthwith be declared Senior National Vice-president.
 - (iii) If the office of Junior National Vice-president falls vacant, a National Councillor shall be elected in as nearly as possible the same manner as provided for in paragraph (f) of this Rule, either by a special conference if a special conference is in session at the time the office falls vacant, or by the National Council.
- (l) **Attendance at meetings:** National Officers shall be admitted to all meetings at any level and shall have

speaking rights. They shall have the right to move and second motions and to vote only in so far as their ordinary financial membership of the appropriate branch would entitle them to except as otherwise specifically provided for in these rules.

- (m) **Honorarium:** An honorarium may be paid to the National President in accordance with a decision of the National Council.

27. DUTIES OF NATIONAL PRESIDENT:

- (a) The National President shall chair all conferences and meetings of the National Council and the National Executive, and shall exercise all the rights, prerogatives and responsibilities of the chair.
- (b) He shall carry out such work as may be directed from time to time by the National Council.
- (c) He shall see that the decisions of conferences, the National Council and the National Executive are implemented.
- (d) In the absence of the National Secretary, he shall ensure the National Secretary's duties are carried out.
- (e) He shall normally, unless it is otherwise decided by the National Council or the National Executive, be the representative of and spokesman for the Union, which shall include making press statements and giving news interviews.
- (f) He shall act as a National Trustee in accordance with Rule 18.
- (g) He shall perform all other duties usual and appropriate to his office.

28. DUTIES OF NATIONAL VICE-PRESIDENTS:

- (a) The National Vice-presidents shall render all possible assistance to the National President.
- (b) The Senior National Vice-president or in his absence the Junior National Vice-president shall deputise for the National President in his absence and shall, while so deputising, assume all the powers, duties and responsibilities of the National President as stated in these rules.
- (c) The National Vice-presidents shall assume such duties as the National President may delegate to them and shall perform such other duties as the National Council or the National Executive may direct, including the chairing of any sub-committee of the National Executive.

SECTION SIX: BRANCH GOVERNMENT

29. BRANCHES

- (a) Every member of the Union shall be a member of a branch. Where a member works in one branch area as an employee of a company based in another branch

area, that member shall have the option of belonging to either branch.

- (b) Branches shall be of two kinds: geographical and occupational. A geographical branch is one based on an area and an occupational branch is one based on specialisation of occupation, such as broadcasting employees.
- (c) Any group of 30 or more journalists eligible for membership of the Union may be established as a branch of the Union by the National Council. The National Council shall not establish as a geographical branch any group of journalists who are employed in an area over which an existing geographical branch has jurisdiction unless a majority of members of the existing geographical branch favour the formation of the new branch and unless the National Council is satisfied that the formation of the new branch will not tend to make the distribution of members among branches more uneven and that the formation of the new branch will offer tangible organisational advantages.
- (d) Each branch shall have an office which shall be at an address to be fixed from time to time by the Committee of Management.
- (e) Any union the registration of which is cancelled by virtue of the registration of this Union shall become a branch of this Union.
- (f) **Powers of branch:**
 - (i) In the area over which a branch has jurisdiction, it shall exercise the powers of the Union in pursuit of the objects stated in Rule 5 and in conformity with these rules and with decisions of a plebiscite under Rule 21, a conference of the Union, the National Council and the National Executive currently in force.
 - (ii) In all matters affecting members of the branch only and not being an award or collective agreement, the branch shall have local autonomy and its decisions, whether made by secret postal ballot, a general meeting or the Committee of Management, shall not be interfered with by any governing body at national level except where the National Council considers any branch action inimical to the interests of the Union as a whole and provided that the National Council may hear a petition of branch members lodged in accordance with paragraph (h) of Rule 31 and may issue an instruction with which the branch shall comply.

- (iii) If there is any dispute as to whether a matter falls within the ambit of sub-paragraph (ii) of this paragraph, it shall be decided by the National Council.
- (iv) Subject to the foregoing, the branch shall specifically have power to:—
Administer its own funds and make such investments in pursuit of the objects of the Union as it sees fit; and administer property for the benefit of members of the branch alone.

30. **BRANCH GENERAL MEETINGS:**

- (a) **Annual general meeting:** In April or May of each year each branch shall hold an annual general meeting of members. The date and place shall be fixed by the Committee of Management of the branch.
- (b) Notice of an annual general meeting shall be given by notice sent to every Office in the branch and to every member who is employed in a place of work where there is not an Office delegate, at least six weeks in advance of the meeting. The notice shall call for nominations for branch president, branch vice-president, branch secretary (if elective), national councillor, and members of the Committee of Management and shall stipulate the method of election and closing date for nominations.
- (c) A **special general meeting** may be called by the Committee of Management at any time, and shall be called forthwith if the National Council or if at least 15 per cent of the members of the branch request it. Notice of a special general meeting shall be given in the same manner as for an annual general meeting and shall be given not less than seven days nor more than one month in advance of the meeting. The notice shall specify the matters to be discussed and no other matter shall be discussed.
- (d) There shall be a quorum if 10 per cent of the members of the branch are present.
- (e) **Voting** shall be on the basis of one vote for each financial member present, subject to the following provisions for sub-branches. Each sub-branch shall be entitled to send one or more delegates who may exercise either their voting rights as individual members or on matters affecting their sub-branch a number of votes bearing the same proportion to the financial membership of their sub-branch that the attendance of financial members other than those of sub-branches at the meeting bears to the total financial membership of the branch in the branch centre; fractions of a vote to count as a full vote. If the number

of members of a sub-branch at a general meeting is equal to or more than the sub-branch's voting entitlement under this paragraph, those members shall be entitled only to one vote each and the proportional voting provisions shall not apply in respect of that sub-branch.

- (f) **Decisions** shall be by simple majority. In the event of an equality of votes, the chairman may exercise a casting vote and if the chairman chooses not to exercise his casting vote, the question before the meeting shall lapse.
- (g) Subject to paragraph (f) of Rule 29 and subject to a secret postal ballot of all members of the branch, a general meeting shall be the supreme governing authority of the branch and decisions of a general meeting shall be binding upon all members of the branch and upon the Committee of Management and all sub-branches and chapels of the branch, and shall not be reversed or altered except by a subsequent general meeting or by a secret postal ballot of all members of the branch, unless they are inconsistent with any current or subsequent decision of a plebiscite of all members of the Union, or of a conference of the Union or of the National Council.
- (h) No motion to alter the branch portion of the subscription fee shall be introduced into an annual general meeting of a branch, except upon the recommendation of the Committee of Management and unless notice has been circulated to the members of the branch at least one week before the meeting. The annual general meeting may amend such a motion. No motion to alter the branch portion of the subscription fee shall be introduced into a special general meeting.
- (i) **The chairman** of a general meeting shall be the branch president or in his absence the branch vice-president or in the absence of both a member of the Committee of Management appointed by the meeting.
- (j) **The costs** of a general meeting and the expenses of attendance at a general meeting by sub-branch delegates shall be a charge on the funds of the branch.

31. BRANCH COMMITTEE OF MANAGEMENT:

- (a) When a general meeting of the branch is not in session the administration and all power and authority of a general meeting shall be vested in a Committee of Management (hereinafter in this Rule referred to as the Committee):

Provided that the Committee shall not alter the branch portion of the subscription fee; and

Provided further that the Committee shall conform

with the policy laid down by and decisions of any general meeting or secret postal ballot of branch members currently in force.

- (b) **How composed:** The Committee shall consist of the branch president, the branch vice-president, the branch secretary if he is a financial member of the branch and the branch treasurer if the Committee considers one to be necessary, who shall be the officers of the branch, and ordinary Committee members, who may number up to six in the case of a branch with up to 100 members, and a further two members for every additional 100 financial members or part thereof of the branch, which number shall include a representative appointed by each sub-branch committee, who shall be a member of the sub-branch committee or at the discretion of the branch a member of the Union resident in the branch centre, and the delegate for the time being of each chapel or, in his absence, the deputy delegate for the time being of the chapel: except that where, because of his election as or promotion to branch president, branch vice-president or branch secretary or for any other reason, a chapel delegate is not an ordinary member of the Committee and for as long as he is not, the deputy delegate for the time being of the chapel shall, if he is not already a member of the Committee, be an ordinary member of the Committee; and except that where both the delegate and deputy delegate for the time being of the chapel are officers of the branch, there shall be no requirement that a member of the chapel shall be an ordinary member of the Committee.

If the National Councillor for the branch is not otherwise a member of the Committee, he shall be appointed as an additional member.

- (c) **Elections:** Apart from the sub-branch representatives and the delegates of chapels, the Committee shall be elected annually either by secret postal ballot or by secret ballot of members present at the annual general meeting, the method to be decided by the annual general meeting of the previous year or, if that is not done, by the Committee, which shall have regard to past custom. Nominations shall be signed by the nominee, the nominator and at least two seconders, all of whom shall be financial members of the branch.

- (i) Where the method chosen is secret postal ballot, the nominations shall close at least four weeks before the annual general meeting. Where the number of nominations does not exceed the number of offices or positions to be filled respectively the nominees shall be declared

elected. Any vacancy then remaining shall be filled by secret ballot of members present at the annual general meeting. Where the number of nominations exceeds the number of offices or positions to be filled respectively, the Returning Officer shall conduct a secret postal ballot in accordance with Rule 43, which ballot shall in the event of one or more nominees being nominated for more than one office or position be decided by the multiple preference system described in paragraph (g) of Rule 43.

- (ii) If a nominee dies during the course of a secret postal ballot, the office or position for which he was a nominee shall be resubmitted to secret postal ballot and nominations called again, and until that ballot is decided the person or persons currently holding that office or those positions shall continue to hold office or position until the new ballot is decided. All successful nominees for other offices or positions shall take office at the annual general meeting and if the election for a vacant office results in the promotion of a successful nominee to a higher office, thereby causing a casual vacancy, it shall be filled in accordance with paragraph (f) of this Rule. Where a successful nominee dies after the close of the ballot but before the annual general meeting the vacancy so caused shall be filled by election at the annual general meeting at which nominations shall be called from the floor, and any vacancy caused by such election shall likewise be filled by election at the annual general meeting.

- (iii) Where the method of election chosen is secret ballot of members present at the annual general meeting, nominations shall close at least seven days before the annual general meeting and if necessary a ballot shall be conducted at the meeting in accordance with Rule 44.

- (d) **Term of office:** A member of the Committee shall hold office from the annual general meeting or the date of his election, whichever is the later, until the next annual general meeting or until he dies, resigns or is removed from office, whichever is the earlier; and he shall be eligible for re-election. A chapel delegate or deputy delegate who is a member of the Committee by virtue of his chapel post shall, if he resigns from the Committee, be deemed to have also resigned from his chapel post.

- (e) A member of the Committee or an appointed secretary not performing his duties in a manner satisfactory to the Committee may be removed from office or from the Committee by a majority vote at a special general meeting of the branch called for that purpose only. A person so removed shall not be eligible for election or appointment to any office of the Committee or to the Committee until the next annual Committee election. A chapel delegate or deputy delegate removed from the Committee under this paragraph but not also removed from his chapel post shall be eligible for reappointment to the Committee under paragraph (b) of this Rule at the time of the next succeeding general meeting.
- (f) **Casual vacancies:** Where any office or position of a Committee falls vacant between annual general meetings, the vacancy shall be filled in the following manner:—
- (i) If the office of branch president falls vacant, the branch vice-president shall forthwith be declared branch president.
 - (ii) If the office of branch vice-president or branch secretary (if elective) falls vacant, the Committee shall at its next meeting elect one of its number to fill the vacancy.
 - (iii) If a position of sub-branch representative falls vacant, the sub-branch committee shall forthwith appoint another representative.
 - (iv) If the delegate for the time being of a chapel ceases to be an ordinary member of the Committee by reason of promotion to an office under sub-paragraph (ii) of this paragraph or removal from office under paragraph (e) of this Rule, the deputy delegate for the time being of the chapel shall, if he is not already a member of the Committee, be an ordinary member of the Committee for as long as the delegate for the time being of the chapel is not an ordinary member of the Committee. If the delegate or deputy delegate of the chapel is removed from the Committee under paragraph (e) of this Rule and the other one of the two is branch president, branch vice-president or branch secretary or is promoted under sub-paragraph (ii) of this paragraph, or if both are removed from the Committee under paragraph (e) of this Rule, and if no other member of the chapel is an ordinary member of the Committee other than a sub-branch representative, the chapel shall forthwith either elect a new delegate or deputy delegate or

both as the case may require or appoint another member of the chapel who shall be an ordinary member of the Committee until the next annual general meeting or until such time as an elected chapel delegate or deputy delegate is eligible to be a member of the Committee.

(v) If a vacancy occurs among the elected ordinary members of the Committee, the Committee shall fill that vacancy by co-option.

(vi) If a secretary who is not a member of the branch dies or resigns or is removed by a special general meeting called for that purpose only, the Committee shall appoint someone to fill that vacancy.

(g) **Meetings** of the Committee shall be held at least once a month and at such other times as the branch president may decide. At least three days notice shall be given to every member of the Committee before any meeting except an emergency meeting. Expenses incurred by sub-branch representatives in attending Committee meetings shall be a charge on branch funds. Meetings shall be chaired by the branch president or in his absence the branch vice-president or in the absence of both a member of the Committee appointed by the meeting. A quorum shall be a majority of the Committee.

(h) **Scope of decisions:** Decisions made by the Committee in accordance with these rules and within the scope of responsibility of the branch delineated by these rules shall be binding upon all members of the branch until amended or reversed in accordance with these rules and shall prevail over decisions of sub-branches and chapels:

Provided that a sub-branch or chapel or 20 per cent of the members of a branch may petition the National Council to reverse or amend a decision of the Committee, in which case the National Council may do so after such investigation as it thinks fit if it considers the petitioners have a legitimate grievance.

(i) **National Councillor:—**

(i) The branch shall elect annually, at the same time and in the same manner as it elects the Committee, a National Councillor to represent the branch on the National Council. A candidate for the post of National Councillor must have been employed in the industry for at least twelve months immediately preceding the date of his nomination and must be or have been a member of the Committee. A candidate for National

Councillor may also stand for other office in the branch and may if elected hold such office concurrently with being National Councillor.

- (ii) Subject to sub-paragraphs (iii) and (iv) of this paragraph, the National Councillor shall hold office until the next election unless he earlier dies, resigns, moves to another branch or is removed from office by a two-thirds vote on a motion put to branch members in the same manner as the original election (with, where necessary, the substitution of a special general meeting for the annual general meeting), which vote must be taken if 15 per cent of branch members request it; and shall be eligible for re-election. A vacancy in the office of National Councillor shall be filled by appointment by the Committee or, if 15 per cent of branch members request it, by election in the same manner as the previous holder of the office was elected (with, where necessary, the substitution of a special general meeting for the annual general meeting).
- (iii) A National Councillor who is a National Vice-president for the time being shall not resign as National Councillor unless he simultaneously resigns as National Vice-president; and if he is removed from office or replaced under sub-paragraph (ii) of this paragraph, he shall forthwith resign as National Vice-president.
- (iv) If a National Councillor is elected or declared National President at any time he shall immediately resign as National Councillor.
- (v) The Committee shall from time to time appoint one of its number to act as deputy to the National Councillor. The deputy shall so act until another is appointed in his place by the Committee. In the absence of the National Councillor the deputy shall exercise the rights and responsibilities of the National Councillor, including attendance at and voting at National Council meetings and conferences, but excluding eligibility for election as National Vice-president.

- (j) The Management Committee shall appoint from among its members the required number of delegates to District Trades Councils.

32. POSTAL BALLOTS OF BRANCHES:

- (a) The Committee of Management may order a secret postal ballot of all members of the branch on any issue, and shall order a secret postal ballot if instructed to do so by a conference of the Union or by the National Council, or by a general meeting of the branch, or if

required to do so by these rules or by the Act. Such a secret postal ballot shall be carried out in accordance with Rule 43.

- (b) Any decision arrived at by a secret postal ballot shall remain in force until amended or reversed by a subsequent secret postal ballot or if that is not done for one year and thereafter until amended or reversed by a decision of a general meeting.

33. BRANCH SECRETARY:

- (a) The branch secretary may be a financial member of the branch who is elected to the position in accordance with Rule 31, or may be a non-member who shall be appointed by the annual general meeting of the branch. The annual general meeting shall decide whether the secretary shall be a member or a non-member. A non-member who is secretary shall attend, and shall have speaking rights at all general meetings and meetings of the Committee of Management, but shall not have the right to move or second motions or to vote; and his term of office shall be as if he were an elected secretary.
- (b) An honorarium set by the annual general meeting may be paid to a branch secretary who is a financial member of the branch and elected to the position. A fee or a salary, set by the Committee of Management, may be paid to a non-member engaged as secretary.
- (c) The Wellington branch may, with the approval of the National Council, appoint the National Secretary as branch secretary and shall pay to the National Council such fee for the services of the National Secretary as shall be agreed between the National Council and the branch Committee of Management from time to time, having regard to the amount of work required of the National Secretary as branch secretary.
- (d) **Duties:** The branch secretary shall carry out such duties as are required of him under these rules or by the branch Committee of Management, and his duties shall include:—
 - (i) Keeping the financial accounts of the branch and the minutes of general meetings of the branch and Committee of Management meetings.
 - (ii) Acting as Returning Officer where so required under these rules.
 - (iii) Calling general meetings of the branch and meetings of the Committee of Management.
 - (iv) Acting as branch trustee in accordance with Rule 18.

34. DUTIES OF BRANCH PRESIDENT:

- (a) The branch president shall chair all general meetings of the branch and all meetings of the Committee of

Management, and shall exercise all the rights, prerogatives and responsibilities of the chair.

- (b) He shall carry out such work as may be directed by the Committee of Management.
- (c) He shall see that the decisions of general meetings of the branch and decisions of the Committee of Management are carried out.
- (d) In the absence of the branch secretary he shall ensure that the branch secretary's duties are carried out.
- (e) On matters that affect only the branch, he shall normally, unless it is otherwise decided by the Committee of Management, be the representative of and spokesman for the Union.
- (f) He shall act as branch trustee in accordance with Rule 18.
- (g) He shall perform all other duties usual and appropriate to his office.

35. DUTIES OF BRANCH VICE-PRESIDENT:

- (a) The branch vice-president shall render all possible assistance to the branch president.
- (b) The branch vice-president shall deputise for the branch president in his absence and shall, while so deputising, assume all the powers, duties, and responsibilities of the branch president while so doing.
- (c) The branch vice-president shall assume such duties as the branch president may delegate to him, and shall perform such other duties as the Committee of Management may direct.

**SECTION SEVEN: OFFICE AND SUB-BRANCH
ADMINISTRATION**

36. SUB-BRANCHES:

- (a) Any group of branch members employed more than 30 kilometres from the branch centre and having a geographical community of interest may with the approval of the Committee of Management form a sub-branch. Where more than 15 branch members are employed in an Office which is more than 30 kilometres from the branch centre, and apply to form a sub-branch, their application shall be granted.
- (b) In all matters a sub-branch shall be subject to the control of a general meeting and the Committee of Management of the branch, except as provided in paragraph (h) of this rule.
- (c) **Committee:** Subject to these rules and in particular subject to paragraphs (a) and (d) of this Rule, the affairs of the sub-branch shall be administered by a sub-branch committee, which shall consist of a sub-branch chairman, a sub-branch vice-chairman, a sub-branch secretary and such committee members as the

annual meeting of the sub-branch shall decide. The sub-branch committee shall be elected by secret ballot of sub-branch members present at the annual meeting at which nominations shall be called for from the floor. Each member of the committee shall hold office until the next annual meeting of the sub-branch, or until he dies, resigns or is removed from office at a special meeting of the sub-branch called for that purpose only; and shall be eligible for re-election. Any vacancy on the committee which occurs between annual meetings shall be filled by promotion of committee members by resolution of the committee, or, in the case of ordinary members of the committee, by co-option by the committee. A quorum shall be a majority of members of the committee.

- (d) **Meetings** of the sub-branch may be called by the sub-branch committee at any time upon the giving of seven days notice by the sub-branch secretary and shall be held within one month if 25 per cent of the members of the sub-branch request it in writing. Subject to the provisions of these rules, the decisions of such meetings shall be binding on the sub-branch committee and all sub-branch members. Twenty five per cent of the sub-branch membership shall be a quorum at such meetings. An annual meeting shall be held each year before the annual general meeting of the branch.

(e) **Duties:**

- (i) The sub-branch chairman shall chair all meetings of the sub-branch and of the sub-branch committee and shall exercise all the rights, prerogatives and duties of the chair. He shall perform such other duties as are appropriate to his office and such duties as he may be directed to by the Committee of Management of the appropriate branch or by the National Council. He shall see that decisions of the sub-branch committee are carried out and shall ensure that the duties of the sub-branch secretary are performed.
- (ii) The sub-branch vice-chairman shall deputise for the chairman in his absence and while so deputising shall exercise the powers and responsibilities of the sub-branch chairman.
- (iii) The sub-branch secretary shall keep all financial accounts and minutes of the sub-branch and shall make such returns to the branch secretary relating to accounts as these rules require.
- (iv) The chairman and the secretary for the time being shall be trustees of the sub-branch in accordance with Rule 18.

- (f) **Dissolution:** Where a sub-branch ceases to exist for any reason, whether by decision of a majority of the members of the sub-branch or for any other reason, any funds held by the sub-branch shall devolve upon the branch, which shall discharge any outstanding liabilities of the sub-branch.
- (g) Where a group of members has previously had a separate existence as a union, or where it has more than 20 members, and provided in either case that the members are employed more than 30 kilometres from the branch centre, the group may on its own application be designated a special sub-branch by the National Council.
- (h) A special sub-branch shall have the right to send a delegate from its own membership to the Annual Conference of the Union and the delegate shall there represent the interests of the members of that special sub-branch and shall be entitled to vote according to the provisions of paragraph (e) of Rule 22.
- (i) Except insofar as the Rules specifically provide otherwise, special sub-branches shall not differ from sub-branches and the provisions applying to sub-branches shall also apply to special sub-branches. Special sub-branches shall not be entitled to representation at special conferences of the Union or at meetings of the National Council.

37. CHAPELS:

- (a) In any Office a chapel may be established to deal with matters affecting only members of that chapel and to act as the Office unit of Union administration; provided that with the approval of the branch Committee of Management a group of Offices may combine to form a single chapel.
- (b) In all matters the chapel shall be subject to the control of a general meeting of the branch and the Committee of Management of the branch.
- (c) Subject to the provisions of these rules and in particular subject to paragraph (b) of this Rule, the affairs of the chapel shall be administered by a chapel committee, which shall consist of a delegate of the chapel, a deputy delegate of the chapel, and such other committee members as the annual meeting of the chapel decides. The chapel committee shall be elected by and may be removed or replaced by a meeting of the chapel. Attention is drawn to paragraphs (b), (d), (e) and (f) of Rule 31.
- (d) The delegate of the chapel shall represent the chapel on the Committee of Management of the branch and shall be Office delegate. The deputy delegate of the chapel

shall deputise for the delegate of the chapel in his absence including representing the chapel on the branch Committee of Management. When the delegate of the chapel is branch president, branch vice-president or branch secretary, the deputy delegate shall be Office delegate and he shall represent the chapel on the branch Committee of Management.

- (e) The chapel may make such rules governing the conduct of its business as are consistent with these rules and as are approved by the Committee of Management.

38. OFFICE DELEGATES:

- (a) In each Office where more than two members are employed, an Office delegate shall be appointed by the members concerned, or if that is not done, by the National Secretary. A deputy Office delegate shall be likewise appointed who shall deputise for the Office delegate in his absence.
- (b) The duties of the Office delegate shall be:—
 - (i) To take up in the first instance any house matters with the employer.
 - (ii) Where required, to act as agent for the collection of subscription fees, where these are not deducted from wages by the employer and to ensure new members are enrolled.
 - (iii) To act as a medium of communication between the National Secretary or the branch secretary and the members employed in his Office.
 - (iv) To gather any information required by the National Secretary or the National Council for research purposes.
 - (v) To report to the National Secretary immediately any suspected breach of the award or collective agreement currently in force in his Office.

SECTION EIGHT: DISPUTES AND STRIKES

39. DISPUTES:

- (a) Should any dispute arise between members of the Union and their employer or employers, the National Secretary shall be notified immediately, and he shall offer whatever assistance he considers necessary.
- (b) Subject to paragraph (e) of Rule 25, the conduct of any dispute involving members of more than one branch shall be the responsibility of the National Council which may delegate its powers to the National Executive.
- (c) The conduct of any dispute involving members of one branch only shall be the responsibility of the Committee of Management of the branch, unless the National Council, either on its own motion or at the request of the Committee of Management, assumes responsibility for the dispute.

40. DISPUTE MEETINGS:

- (a) In respect of any dispute, a meeting of any group of members may be called at any time by a member of the National Executive or by the president of the appropriate branch, and all members in that group shall attend the meeting.
- (b) A dispute meeting shall be chaired by the president of the appropriate branch or his nominee.
- (c) Unless inconsistent with these rules, decisions of a dispute meeting shall be binding upon all members who were summoned to attend and may be amended or reversed only by resolution of the National Council or by resolution of a general meeting of the appropriate branch, or by a decision of a subsequent dispute meeting of the same members as were summoned to the dispute meeting at which the original decision was made, which subsequent dispute meeting shall be held if 20 per cent of those affected request it.
- (d) Notice of a dispute meeting shall be such as to reasonably enable those summoned to attend it to attend, but not so long as to undermine the reason for calling it.
- (e) Subject to the provisions of the Act, and subject to there being authorisation in the award or collective agreement covering the employment of the members concerned, the meetings referred to in paragraph (a) of this Rule shall be stopwork meetings and all members in the areas which such meetings are to be held shall be required to attend.

41. STRIKES:

- (a) No group of members of the Union shall strike without first notifying the National Secretary of their intention to do so.
- (b) If there is a proposal to strike by any group of members of the Union, no such strike shall take place until the question of whether the strike shall take place has been submitted to a secret ballot of those members of the Union who would become parties to the strike if the proposal were carried out. Such secret ballot shall comply with the requirements of the Act and shall be conducted in accordance with Rule 44.
- (c) No strike shall take place at Office level in defiance of a decision of the Committee of Management of the appropriate branch, nor shall any strike take place at any level in defiance of a decision of the National Executive or the National Council.
- (d) Where a secret ballot has been held under the provisions of paragraph (d) of Rule 44 and the vote approves industrial action such action shall be under

the control of the National Executive for the duration of the dispute, no public statement concerning the dispute is to be made except by or with the authority of the National Executive, for the duration of the dispute no details of the ballot other than the fact that the proposal was carried shall be released except on the authority of the National Executive, and since such ballots are national in nature the regional voting figures if counted separately shall be kept confidential to the National Executive.

SECTION NINE: MISCELLANEOUS

42. ALTERATION OF RULES:

- (a) These rules may be added to, amended or rescinded only by an Annual Conference of the Union, which may do so on the motion of the National Council or of any branch, or by a plebiscite of all members.
- (b) Where it is proposed to add to, amend or rescind a rule other than those specified in paragraph (c) of this Rule, a simple majority of the conference or as the case may be of the members who vote in a plebiscite shall decide the issue.
- (c) Where it is proposed to add to, amend or rescind a rule specified in this paragraph, or to amend or rescind this paragraph, no change shall be made unless two-thirds of the votes exercised at a conference or two-thirds of the votes cast in a plebiscite as the case may be are in favour of the proposal.

The rules this paragraph refers to are:—

- (i) Paragraphs (b) and (c) of Rule 12 (Fees).
 - (ii) Paragraph (f) of Rule 18 (Funds).
 - (iii) Rule 20 (Government).
 - (iv) Paragraph (g) of Rule 24 (National Council).
 - (v) Paragraph (f) of Rule 29 (Branches).
 - (vi) Paragraph (b) of Rule 36 (Sub-branches).
 - (vii) Paragraph (b) of Rule 37 (Chapels).
- (d) Where it is proposed to add to, amend or rescind any rule or add a new rule by decision of a conference, notice of motion to do so shall be given to all branches at least one month before the conference.
 - (e) Should the proposed amendment be passed the Secretary shall forthwith forward an application to the Registrar of Industrial Unions for the recording thereof, pursuant to section 178 of the Act, accompanied by three copies of the proposed amendment duly verified by a National Officer of the Union and a copy of the resolution adopting such an amendment. The amendment shall come into operation when and not until it is recorded by the Registrar.

43. CONDUCT OF SECRET POSTAL BALLOT:

(a) Returning Officer and scrutineers:

- (i) Unless the appropriate governing body orders otherwise, the National Secretary in the case of a ballot of members of more than one branch or the branch secretary in the case of a ballot of all or part of the members of a branch shall be deemed to be the Returning Officer in this rule; provided that in the case of an election, no nominee shall be Returning Officer.
- (ii) The appropriate governing body shall appoint an official scrutineer, and any member or group of members having a direct interest in the outcome of the ballot may each appoint a scrutineer; provided that in the case of an election no nominee shall be a scrutineer.
- (iii) The Returning Officer shall afford scrutineers all reasonable facilities to perform the duties required of scrutineers under this Rule. If at any time a scrutineer disagrees with a decision of the Returning Officer or considers there has been an irregularity he shall not interfere with the conduct of the ballot, but shall make a separate written report to the National Executive which shall forthwith investigate the matter and decide it finally in whatever manner it sees fit.
- (iv) For the purposes of this paragraph, "appropriate governing body" shall mean in the case of a ballot of members of more than one branch the National Executive or if the ballot is ordered by a conference of the Union, that conference; and shall mean in the case of a ballot of all or part of the members of a branch the Committee of Management of the branch, or if the ballot is ordered by a general meeting of the branch, that meeting.

(b) Electoral roll: Whenever a secret postal ballot is ordered:—

- (i) In the case of a ballot of members of more than one branch, the Returning Officer shall forthwith, after consulting the register of members kept by the National Secretary, send to the secretary of each branch affected a list of all financial members of the branch and the branch secretary shall within seven days notify the Returning Officer of any additions, alterations or deletions to that list necessary to bring it up to date, together with any change of address. The Returning Officer shall then compile a complete

electoral roll, which shall be the final roll for the purposes of the ballot.

- (ii) In the case of a ballot of members of a branch or part of a branch, the Returning Officer shall forthwith, in consultation with the National Secretary and where necessary the secretaries of sub-branches and Office delegates, compile a complete electoral roll of financial members who are eligible to vote, which shall be the final roll for the purposes of that ballot.
- (c) **Ballot papers:** The Returning Officer shall also forthwith have prepared ballot papers, which shall state clearly the full names of candidates for election or the question to be answered and the method of voting and shall state the date and the time by which the paper must be returned to the Returning Officer at an address which shall be stated thereon, which date shall be not less than two weeks from the date the Returning Officer distributes the ballot papers. Provided that this interval may be reduced to 10 days where the National Executive decides that urgency should be taken. Where the ballot is for an election the voter shall be given, in addition to the voting paper, a brief biography of each of the nominees and if the nominee desires a brief policy statement. Where the ballot is for any other purpose a brief explanation of the effect of approving the question may accompany the voting paper, but shall be separate from it.
- (d) **Distribution:** When the electoral roll is compiled and the ballot papers prepared, the Returning Officer shall forward the ballot papers direct to each eligible voter at his last known postal address or shall deliver the ballot papers in person.
- (e) **Declaration of result:** As soon as possible after the closing time, the Returning Officer shall in the presence of the scrutineers open the envelopes containing the voting papers, count the votes and declare the result in writing, signed by himself and witnessed by the scrutineers. In the event of an equality of votes between nominees in an election, where the addition of one vote would enable any of those nominees to be elected, the Returning Officer shall determine by lot which nominee shall be elected.
- (f) **Preservation of papers:** In the case of a ballot for any purpose other than an election the ballot papers shall be preserved and kept at the registered office of the Union for one year after the date on which the Returning Officer declares the ballot closed. In the case of an election, all ballot papers, envelopes, lists and other

documents used in connection with, or relevant to, the ballot shall be preserved and kept at the registered office of the Union for one year after the date on which the ballot is closed.

- (g) **Multiple preference system:** Where a secret postal ballot for an election is required under these rules to be conducted according to the multiple preference system, the system shall be as follows:—

- (i) In the case of an election for the Committee of Management of a branch: (1) In the ballot for the office of branch president, voters shall strike out the name or as the case may be the names of every nominee for whom they do not wish to vote. (2) If no ballot has been necessary for branch president or if nominees for the office of branch vice-president do not include any nominee for the office of branch president the ballot for the office of branch vice-president shall be conducted in the manner described for the branch president. If a ballot has been necessary for branch president and if one or more of the nominees for the office of branch vice-president is also nominated for branch president, then in the ballot for branch vice-president voters shall indicate the order of their preference of nominees by placing a number beside each nominee's name. If one such nominee for branch vice-president is elected branch president, the name of that nominee shall be deleted from the ballot for branch vice-president and the ballot papers showing such nominee as first preference shall be allocated to the remaining nominees as shown by the second preference in each ballot paper and shall count as votes cast for those nominees. (3) In the ballot for the ordinary members of the Committee of Management voters shall indicate their preference of nominees by placing a number beside each nominee's name. In the event of a nominee being elected branch president or branch vice-president the name of the nominee so elected shall be deleted from the ballot for ordinary members and the ballot papers showing such nominee as first preference shall be allocated to the remaining nominees as shown by the second preference in the ballot paper and shall be regarded as votes cast for those nominees. In the event of two nominees being elected to higher office the ballot papers showing such nominees as first prefer-

ence shall be similarly allocated to the remaining nominees as above; except that where the second preference is for the other nominee who has been elected to higher office the ballot papers showing such nominee as second preference shall be allocated to the remaining nominees as shown by the third preference in each ballot paper. (4) Where the branch secretary is elected the system described above shall be so modified that after the reference to the ballot for branch vice-president there shall be deemed to be inserted a reference to the ballot for secretary and the reference to the ballot for ordinary members of the Committee of Management shall be so altered as to take into account the eligibility of such nominees for three higher offices instead of two.

- (ii) In the case of any other election held according to the multiple preference system, the method described in sub-paragraph (i) of this paragraph shall be followed with such modifications and changes of nomenclature as may be necessary.
- (iii) A vote cast in accordance with sub-paragraph (i) of this paragraph shall not be held invalid for the reason only that the voter has not indicated his preference for all nominees or has struck out any name; but his vote shall be redistributed only so far as he has indicated his preference.

44. CONDUCT OF OTHER SECRET BALLOTS:

- (a) In the case of a secret ballot other than a secret postal ballot, the Returning Officer shall be appointed by the meeting at which the ballot is to be held. The meeting shall appoint an official scrutineer and any member or group of members with a direct interest in the outcome of the ballot may each appoint a scrutineer. Where under Rule 21 a plebiscite is conducted by secret ballots at meetings of branches and sub-branches, the Returning Officer shall be the National Secretary or such other person as the National Executive may appoint for the purpose, and each meeting at which the question is put shall appoint a Local Returning Officer, who shall convey the result of the ballot to the Returning Officer, and one official scrutineer.
- (b) The result of any secret ballot at a meeting shall be declared by the Returning Officer and shall be verified by the official scrutineer and other appointed scrutineers, if any. In the event of an equality of votes between candidates in an election, where the addition of one vote would entitle any of those candidates to be elected, the Returning Officer shall determine by lot which candidate shall be elected.

- (c) Upon completion of the ballot, all ballot papers shall be destroyed: Provided that in the case of an election, all ballot papers, envelopes, lists and other documents used in connection with, or relevant to, the ballot shall be preserved and kept at the registered office of the Union for one year after the date on which the ballot is closed.
- (d) Notwithstanding the foregoing provisions of this Rule, the National Executive may order that in the case of a plebiscite taken pursuant to Rule 21 the votes from each meeting shall not be counted at the meeting but shall be sent directly by hand or by registered mail to the National Secretary or to such other person as may be appointed Returning Officer by the National Executive, to be opened and counted by him in the presence of an official scrutineer. The National Executive shall either arrange with the Registrar of Industrial Unions of the Department of Labour for a representative of that Department to act as an official scrutineer or, alternatively, the National Executive shall appoint a Justice of the Peace as an official scrutineer.
- (e) Where a secret ballot is to be held, a meeting of any group of members may be called at any time by a member of the National Executive or by the president of the appropriate branch, and all members in that group shall attend the meeting.

45. INSPECTION OF BOOKS:

- (a) Any member or former member having an interest in the funds of the Union may inspect all books of account and the register of members of the Union at the registered office at any reasonable time upon giving 48 hours notice to the National Secretary.
- (b) Any person having an interest in the funds of a branch of the Union may inspect the books of account of the branch at the office of the branch at any reasonable time upon giving 48 hours notice to the branch secretary.
- (c) The National President and the National Secretary shall have the right to inspect the books of a branch and the branch secretary shall make available all books and vouchers for such inspection.

46. DISCIPLINE:

- (a) The National Council shall have the power by formal resolution after considering a charge laid before it in writing by any member or group of members to discipline any member whom it finds guilty of:—
 - (i) Improperly divulging the business of the Union or any branch or sub-branch or chapel of the

Union to any person not a member of the Union;
or

- (ii) Action against the objects of the Union; or
 - (iii) Refusing to comply with the provisions of any lawful resolution of a conference of the Union, or the National Council, or the National Executive, or a general meeting or the Committee of Management of a branch, or of a meeting of a sub-branch or chapel or of any other meeting where according to these rules such resolution is binding on the member; or
 - (iv) Knowingly breaching an award or collective agreement to which the member is subject or willingly being a party to any breach by an employer; or
 - (v) Misappropriating or misusing any funds or other property of the Union; or
 - (vi) Breaching these rules.
- (b) The National Council shall not discipline any member unless it shall first have given the member charged adequate opportunity by 14 days notice in writing to appear before it and to be heard on the charge, or if the member so desires to lay a written affidavit before it. If the member has to travel to Wellington to appear before the National Council he shall be reimbursed from national funds for all reasonable expenses in doing so unless he is found guilty of the charge, when the National Council may deny reimbursement of all or part of such expenses.
- (c) The disciplinary measures which the National Council may take shall be:
- (i) Formal censure in writing; and/or
 - (ii) Suspension from office in the Union; and/or
 - (iii) A fine, not to exceed the greater of the following: \$100, or a sum equivalent to one week's salary at the minimum award rate prescribed for the member's classification and grading.
- (d) A member disciplined by the National Council shall have the right of appeal to an appeal committee consisting of one member appointed by the National Council who is not a member of the National Council, one member appointed by the member disciplined and a chairman appointed by those members. The appeal committee may reverse, amend or uphold the National Council's decision and its decision shall be final.
- (e) Where a member has previously been found guilty of an earlier offence, then instead of imposing any disciplinary measure, the National Council may refer the matter to a special conference of the Union, which may,

if it finds the member guilty of the charge brought against him, expel him from the Union:

Provided that the member charged shall be given 14 days notice in writing of the date of the special conference and shall be given opportunity to appear before the conference and to be heard on the charge or, if he so desires, to lay a written affidavit before the conference. In such cases the same provisions as to expenses as are specified in paragraph (b) of this Rule shall apply.

- (f) The Committee of Management of a branch shall have the power by formal resolution after considering a charge laid before it in writing by any member or group of members to formally censure any member of the branch whom it finds guilty of any of the offences specified in paragraph (a) of this Rule.

Provided that a member so charged shall be given 14 days notice in writing of the date of the meeting at which the charge is to be heard and given opportunity to appear before the Committee of Management and to be heard on the charge or if he so desires to lay a written affidavit before it; and

Provided further that if the member charged is so disciplined, he shall not also be charged before the National Council for the same offence.

- (g) Where a member is disciplined by the Committee of Management of a branch, he shall have the right of appeal to the National Council, which may reverse or uphold the decision of the Committee of Management, and from which there shall be no further appeal.

47. STANDING ORDERS: As far as practicable the Standing Orders affixed to these rules shall be observed at all meetings of all bodies and of all parts of the membership of the Union. But no decision or action of the Union or of a branch, sub-branch, chapel or other part of the Union, or of any governing body shall be held to be invalid by reason only that the Standing Orders were not observed, provided that reasonable opportunity was afforded all present at the meeting to speak and vote upon the question.

48. EFFECT OF DECISIONS: Provided due notice as required in these rules is given, no member shall be exempt from compliance with any decision of a meeting by reason only that he did not attend the meeting. Due notice shall be deemed to have been given if the length of notice specified in the rules is given and if:—

In the case of a member employed in an office where there is an Office delegate, a notice is put on the office noticeboard; or

In the case of a member other than those employed in an

office where there is an Office delegate, a copy of the notice is mailed to him at his place of work or his last known preferred address or conveyed to him verbally; and if the notice specifies the nature and purpose of the meeting.

49. DISSOLUTION:

- (a) Should a majority of the members, in accordance with the Act, decide by secret postal ballot to dissolve the Union, the National Secretary shall forthwith make application to the Registrar of Industrial Unions in the manner prescribed by the Act for the cancellation of the registration of the Union.
- (b) Before such cancellation is effected, the National Council shall realise all the available assets and shall dissolve all the liabilities of the Union.
- (c) The surplus funds, if any, shall thereupon be disposed of in such manner in pursuance of the objects specified in Rule 5 as the National Council may think fit.
- (d) The Union shall be deemed to be dissolved when its registration has been cancelled by the Registrar of Industrial Unions.

50. EFFECT OF REGISTRATION: The effect of registration of the Union shall be to render the Union and all persons who are members of the Union at the time of registration or who after such registration become members of the Union subject to the jurisdiction given by the Act to a council of conciliation and to the Industrial Commission and the Industrial Court and liable to all the provisions of the Act and all such persons shall be bound by the rules of the Union during the continuance of their membership.

STANDING ORDERS

1. ORDER OF BUSINESS:

- (a) The order of business at conferences, general meetings of branches and meetings of sub-branches and chapels and meetings of the National Council, the National Executive, branch Committees of Management and sub-branch and chapel committees shall, with such modifications as are necessary for and appropriate to the circumstances of each meeting, be:—
 - (i) Establishment of credentials and voting rights and adoption of Standing Orders.
 - (ii) Apologies.
 - (iii) Adoption of the minutes.
 - (iv) Matters arising from the minutes.
 - (v) Membership.
 - (vi) Correspondence.
 - (vii) Reports of officers and committees and/or annual reports and matters arising therefrom.
 - (viii) Accounts and/or annual financial report and budget and matters arising therefrom.
 - (ix) Elections and/or confirmation in office of those previously elected by a secret postal ballot.
 - (x) Continuation of debates adjourned from the previous meeting.
 - (xi) Other business adjourned from the previous meeting.
 - (xii) Remits and notices of motion, of which those concerning the alteration of rules and the setting of fees shall be taken first.
 - (xiii) Decisions on matters concerning the next meeting, including the time and place of the next meeting. In the case of a branch annual general meeting this shall include the manner in which the election of officers shall be conducted in the following year.
 - (xiv) General business.
 - (xv) Assumption of office by newly-elected officers.
- (b) Where a special meeting or conference is called for the purpose of removal of an officer, that business shall be dealt with before the election of officers and any officers elected at the meeting or conference shall immediately assume office.
- (c) Notwithstanding paragraph (a) of this Standing Order, the order of business may be altered by resolution of the meeting, provided that objection is not raised by more than 20 per cent of those present and eligible to vote.

2. MOTIONS:

- (a) Discussion shall be upon a motion duly moved and seconded.
- (b) All remarks shall be addressed to the chair.
- (c) Each person may speak only once to a motion, except that the mover shall be entitled to exercise a right of reply at the end of debate on the motion.
- (d) Immediately the mover has exercised his right of reply the motion shall be put to the vote.

3. AMENDMENTS:

- (a) A motion may be amended by deleting certain words, adding certain words or substituting certain words for others, upon an amending motion duly moved and seconded.
- (b) Notwithstanding Standing Order 2, a person who has already spoken to the original motion may also speak to the amendment, provided that if the mover of the original motion does so he shall forfeit his right of reply to the original motion.
- (c) When an amendment has been moved and seconded discussion shall be confined to the amendment until it is disposed of, except that a speaker to the amendment who has not already spoken to the original motion may also address his remarks to the original motion.
- (d) Only one amendment shall be discussed at any one time, but notice of a further amendment or amendments may be given.
- (e) If an amendment is carried it shall become the substantive motion, but may in turn be further amended.

4. PROCEDURAL MATTERS:

- (a) The meeting may set speaking time limits, provided that this is done at the time of adopting Standing Orders. Such limits shall be not less than three minutes for the mover of the motion and two minutes for other speakers and for the right of reply.
- (b) At any time a point of order may be raised and the chairman shall immediately interrupt the debate in progress and hear and decide the point in question.
- (c) At any time the motion may be moved and seconded, "That the question be now put", whereupon it shall be put to the vote without discussion. If it is carried the question shall immediately be put, without any further discussion, other than the exercise of the right of reply by the mover of the original motion.
- (d) At any time a motion may be moved and seconded, "That the question be not put", whereupon it shall be

put to the vote without discussion. If the motion is carried, the original motion shall lapse without further discussion.

- (e) At any time a motion may be moved and seconded, "That debate on this question be adjourned until . . .", whereupon debate on the original motion shall forthwith be suspended and the adjournment motion shall be decided, after such discussion as the chairman deems desirable. If the adjournment motion is carried, debate on the original motion shall be suspended until the time specified in the adjournment motion and if the adjournment motion is lost debate on the original motion shall be resumed forthwith.
- (f) A motion to alter the order of business or to adjourn the meeting may be moved and seconded at any time, provided that no debate on another question is in progress at the time and shall take precedence over any other business set down. Notice of such a motion may be given during debate upon another question and if so it shall be dealt with immediately after that question is disposed of.
- (g) These Standing Orders may be suspended on a ruling of the chairman or on the carrying of a motion to that effect, in order to allow freer discussion than the Standing Orders permit, or to reopen a question previously disposed of, or to deal with urgent business, or to validate any question previously decided in a manner not strictly in accordance with the Standing Orders or the rules. A motion to suspend Standing Orders may be moved and seconded at any time, whereupon it shall be put to the vote, after such discussion as the chairman may deem necessary. If the motion is carried, any debate in progress at the time shall be suspended until the purpose of the suspension of Standing Orders is discharged, at which time the debate shall be resumed.
- (h) A motion, "That the meeting go into committee", may be moved and seconded at any time, whereupon it shall immediately be put to the vote without discussion and if it is carried none of the discussion made while the meeting is in committee shall be recorded or reported outside the Union.
- (i) A chairman's ruling may be challenged at any time on a point of order and if demanded a vote shall immediately be taken to determine whether the chairman's ruling shall stand or be overturned.
- (j) Any member disobeying the ruling of the chairman shall be warned and if he persists in disobeying the chair he may be fined a sum not exceeding \$1 by the

chairman, provided the meeting approves the chairman's action. If he offends again he may be expelled from the meeting.

- (k) No intoxicated person shall be entitled to attend any meeting.
- (l) No non-member shall attend any meeting without permission of the meeting.

United, we stand

Divided, we kneel

